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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Agenda item 9

THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS

Letter dated 26 August 1998 from the Chargé d'Affaires a.i.
of the Permanent Mission of the Federal Republic of Yugoslavia
to the United Nations Office at Geneva addressed to the
Chairman of the Sub-Commission on Prevention of Discrimination
and Protection of Minorities

I am addressing you with reference to Albania's representative abusing her right in taking the floor at the Sub-Commission to voice unfounded and malicious allegations against the Federal Republic of Yugoslavia, which allegations we resolutely reject, instead of commenting on the issues on the agenda.

The representative of Albania produced false notions of an alleged humanitarian disaster, excessive use of force and alleged crimes against the members of the Albanian national minority in the southern Serbian province of Kosovo and Metohija.

In doing so, the Albanian representative is misleading international public opinion, while denouncing the authorities of Serbia and FR Yugoslavia for the legitimate measures taken against terrorists in Kosovo and Metohija.

There is no mention in these accusations of any of the terrorist acts perpetrated on a daily basis by the so-called "Kosovo Liberation Army": its perfidious killing and kidnapping of innocent civilians - large numbers of ethnic Albanians included - its raping of women, its committing torture and

executions, its forcibly drafting the entire male population of villages, its demolishing of and putting fire to settlements upon their "liberation", its blowing up of water supply systems, transformer stations and industrial plants employing thousands of ethnic Albanians, Serbs, Montenegrins and Muslims.

No country in the world tolerates killing and kidnapping of its population, or the planting of mines. The truth is that, in view of the nature and proportions of such terror, the security forces have demonstrated, and are still demonstrating, a high level of restraint.

The Government of Albania fails to take any measures to thwart the activities launched on its territory by terrorist gangs and, instead, vehemently instigates terrorism and terrorist attacks on Yugoslavia also via statements pronounced by its officials and leaders.

The Albanian representative deliberately avoided the point that Albania has evolved into a centre for fostering all types of terrorist groups and organizations, hosting international organized crime, serving as a base for committing terrorist actions and brutal attacks on the territory of FR Yugoslavia. Almost on a daily basis, often assisted by the Albanian military and police, small or larger groups of heavily armed terrorists make attempts to enter illegally the territory of FR Yugoslavia.

As evidence of this, Mr. Millo, the Minister for Foreign Affairs of Albania, in a recent interview, admitted that Albania has offered refuge to terrorists on its territory. It is also well known that terrorists are recruited, organized, armed and trained in the assembly points in Bairam Curi, Tropoje and Kuks.

Allow me to illustrate the Albanian authorities' tolerance of terrorist actions by the event of 18 August, when terrorists bombarded an Orthodox church in Scutari, damaging it substantially, in particular its altar and iconostasis. This brutal, senseless terrorist attack against the members of the Serb and Montenegrin minorities in Albania is, obviously, a consequence of growing anti-Serb and anti-Yugoslav feelings, inspired by those forces in Albania which advocate secession of segments of the territory of Serbia, along with terrorism as a means of reaching their aims. The incident also demonstrated that the Albanian authorities do not wish to suppress terrorism. This statement is contained in the protest note submitted to the Embassy of Albania in Belgrade on 21 August, with the OSCE headquarters in Vienna, and Austria, as the current Chair of the EU, being apprised as well.

The willingness of the Albanian authorities to cooperate in caring for the refugees who have left their homes under terrorist threats, having allegedly found refuge in northern Albania at present, is false. If it were so, the Albanian authorities would have responded positively to the Yugoslav Government's proposal for Ms. Bratislava Morina, the Commissioner for Refugees of Serbia, to go to Albania and appeal to the refugees to return to their homes, the authorities of Serbia and FR Yugoslavia guaranteeing their safety and other conditions indispensable for their return.

The suggestion made by the Albanian representative for his country to "help" in solving political and humanitarian problems in Kosovo and Metohija is sheer, provocative cynicism, since Albania is not capable of finding a way out of its own situation, which is disastrous owing to the policy pursued by its present political leaders.

The determination of FR Yugoslavia to consistently and strictly implement the Moscow statement in its entirety is well known. The State delegation keeps repeating its appeals for an unconditional dialogue aimed at resolving all the problems in Kosovo and Metohija. Even though the representatives of ethnic Albanian political parties have composed a new delegation, the dialogue has not started yet, since it is obvious that the Kosovo and Metohija ethnic Albanian political leaders do not favour a peaceful solution.

I would ask you, Mr. Chairman, to have this letter published as an official document under the Sub-Commission agenda item 9.

(Signed) Mr. Miroslav MILOŠEVIĆ
Chargé d'affaires a.i.

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Agenda items 2 and 8

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES. REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION (XXIII)

PREVENTION OF DISCRIMINATION AGAINST AND
THE PROTECTION OF MINORITIES

Letter dated 19 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

GE.98-14219 (E)

I am addressing you with reference to the views expressed by individual members of the Sub-Commission, which contain one-sided assessments concerning the situation of human rights in the Yugoslav Autonomous Province of Kosovo and Metohija.

First and foremost, I must emphasize that the present problems stem from terrorist activities perpetrated by a certain segment of extremist members of the Albanian national minority.

A particular problem is the fact that Albania, a neighbouring country to the Federal Republic of Yugoslavia, has become a haven for all kinds of terrorist groups and a base for committing terrorist actions and brutal attacks on the territory of FR Yugoslavia. For example, in the short period between 6 March and 28 June 1998, over 60 brutal provocations and incidents, such as: attempts to illegally cross the border, to smuggle armaments, attack border units, infiltrate mercenaries and mujaheddin, demolish border signs, etc. were perpetrated.

On the other hand, by statements made by its officials and political leaders, Albania is publicly instigating terrorism and terrorist attacks on the FR Yugoslavia, thus encouraging separatist aspirations of the Albanian national minority.

Regretfully, certain international quarters lend their support to such Albanian political leaders, while endeavouring to further dramatize the situation in Kosovo and Metohija, thus deceiving public opinion and favouring a permanent destabilization of this region.

The Yugoslav authorities are making maximum efforts to improve the present situation on a legal basis, to eradicate terrorism and to preserve the territorial integrity of the country, in order to provide a normal environment for all the inhabitants of Kosovo and Metohija.

In this connection, I must point out that the problem of displaced persons is exclusively the consequence of ethnic Albanian extremists' terrorist activities, and that once they are thwarted, mass returns of civilians follow. If terrorist gangs halted their criminal activities altogether, all displaced persons would have returned to their homes in a couple of days, particularly so since most among them are accommodated with their next of kin at present.

The Governments of the Republic of Serbia and of FR Yugoslavia are investing maximum efforts to facilitate these returns, with foodstuffs and construction materials for house repairing provided in close cooperation with various international humanitarian organizations.

In an attempt to illustrate the above - that the problems in Kosovo and Metohija have nothing to do with the human rights situation, but that what we have here is an open attempt to force a secession of a segment of a sovereign State - let me apprise you of the terrorist actions of ethnic Albanian separatists in Kosovo and Metohija from 1 January to 16 August 1998. In this period, terrorists perpetrated 1,041 terrorist attacks altogether, of which 555 were against the members or facilities of the Ministry of the

Interior of the Republic of Serbia (228 in Decani, 73 in Serbica, 65 in Klina, etc.); 66 members of the Ministry of the Interior were killed in this period, 156 received heavy injuries, 103 sustained light bodily injuries, and 10 among them were abducted. In 539 cases, members of the Ministry were attacked while on duty.

Some 486 attacks against citizens and facilities were perpetrated in that period, 75 persons were killed (29 Serbs and Montenegrins, 42 ethnic Albanians and 4 other nationalities), and 47 heavily injured.

Terrorists abducted 177 persons (126 Serbs and Montenegrins, 42 ethnic Albanians loyal to the Republic of Serbia, 6 Roma, 1 citizen of the FYR of Macedonia, 1 Muslim and 1 Bulgarian national), killing 15 of them; 116 are unaccounted for as yet, 7 have escaped and 39 have been released.

In these terrorist actions, individual or collective, ethnic Albanian separatists resorted to automatic weapons on 542 occasions, launching mortars or hand grenades 145 times, snipers in 80 cases, hand bombs in 22 cases, etc.

On the other hand, 23 cases of halting of vehicles and searching of passengers by masked armed persons on roads in Kosovo and Metohija have been recorded and 31 cases of incursions of such persons into homes and other facilities, perpetrating severe criminal offences.

Despite these problems, the authorities of Serbia and FR Yugoslavia have always been and are still ready for an unconditional dialogue with the representatives of the ethnic Albanian national minority on all outstanding issues. Regretfully, apart from failing to condemn terrorism, ethnic Albanian representatives reject any dialogue, presumably in hope that the situation in Kosovo and Metohija would further exacerbate which, as they hope, would be conducive to a NATO military intervention, thus making their dreams of a "Greater Albania" come true.

Being aware that a huge majority of the Sub-Commission members sincerely adhere to protection and promotion of human rights in the world, I do hope that no one will be taken in by the provocations aimed at the Sub-Commission's joining the campaign of pressures upon my country, conducted by certain international quarters.

I would ask you, Excellency, to have this letter circulated to all the members of the Sub-Commission and to have it published as an official document of the Sub-Commission, under items 2 and 8.

(Signed): Miroslav MILOSEVIC
Chargé d'affaires a.i.

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Agenda item 2

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDANT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Letter dated 24 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

I am addressing you with reference to the Statement by the Chairman of the Sub-Commission of 21 August concerning the recent human rights situation in the Serbian province of Kosovo and Metohija, Federal Republic of Yugoslavia. I must note with regret that individual members of the Sub-Commission are abusing this august body, imposing again unacceptable stands and assessments which are, first and foremost, detrimental for the reputation of the Sub-Commission itself.

It is my view that it is inadmissible for the Sub-Commission to be, once again, drawn into the political pressure campaign launched against FR Yugoslavia concerning the internal situation in the country.

The actual cause of the problem in Kosovo and Metohija is separatism based on terrorism. By boycotting political processes and legitimate State institutions whenever it suits them, ethnic Albanian political parties seek to create a distorted picture, whereby ethnic Albanian human and minority rights are threatened.

Proceeding from the multi-ethnic character of Serbia and FR Yugoslavia, the Government of Serbia is firmly committed to finding a political solution through dialogue. This dialogue should imply full respect for the territorial integrity of Serbia, guaranteeing equal civil and human rights to all citizens of Kosovo and Metohija, and the highest international level rights to the members of the Albanian national minority.

The current impasse in the dialogue initiated by President Milosevic and the Government of Serbia has come about as a result of the efforts of the Kosovo and Metohija ethnic Albanian political parties, which aspire to exercising intensified international pressure on Yugoslavia, instead of engaging in a serious dialogue about real problems which beset this Serbian province. Accordingly, extremists are encouraged in their schemes, with further escalation of terrorist activities ensuing.

Double-standard politics concerning terrorism is particularly detrimental in my view, since it severely impedes the international community's combating this danger looming over all of us. The attempts to make a distinction between "good" and "bad" terrorists, proclaiming as bad only those who directly jeopardize interests of certain countries, and labelling the others as "human rights fighters", while at the same time denying to other countries the right to fight terrorism in their own territory, are not based on any principles or facts, but on one-sided assessments, one's own interests and power politics.

Efficient fighting of terrorism implies an impartial approach by all States and international factors, cooperation on equal footing, respect for the Charter of the United Nations and for the principles of sovereignty and territorial integrity of all States. FR Yugoslavia will persevere in giving its full contribution to this effort.

In order to justify the uncalled-for pressure exerted on Yugoslavia, the media and the advocates of separatism play games with the numbers of refugees, alleging that Kosovo and Metohija are ethnically cleansed. As a matter of fact, the number of displaced persons is much smaller than alleged. The Government of Serbia has invited all displaced persons and refugees to return to their homes, guaranteeing their security and offering aid for the repair of damaged houses.

In conclusion, I wish to underscore that the Statement by the Chairman does not offer a realistic picture of the current situation in Kosovo and Metohija, while exaggerating the humanitarian problems there and exercising counter-productive pressure on FR Yugoslavia. The Governments of Serbia and FR Yugoslavia are resolute in their efforts to provide, as soon as possible,

conditions for a safe return of all, once the situation in the province improves, with terrorists neutralized. Tens of thousands of ethnic Albanians, Serbs, Montenegrins, Turks, Roma and others have already returned to their homes in recent weeks, evidence of the efficiency of our efforts, an example to be followed by all displaced persons before the winter comes.

I would ask you, Mr. Chairman, to have this letter published as an official document, under Sub-Commission agenda item 2.

(Signed): Mr. Miroslav Milošević
Chargé d'affaires a.i.

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Fiftieth session
Agenda item 12

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Letter dated 27 August 1998 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

I have the honour to draw your attention to one more falsification by the Permanent Representative of the Republic of Armenia at the current session of the Sub-Commission contained in his letter addressed to the Chairman of the Sub-Commission which was circulated by the secretariat under item 12 of the agenda as document E/CN.4/Sub.2/1998/39.

Without any intention to comment on the above-mentioned letter, which represents mere primitive verbiage around the issue of illegal arms supplies to Armenia and confirmed the lack of adequate arguments relating to the facts of such supplies mentioned in document E/CN.4/Sub.2/1998/31, I would like to focus on the attempt of the Permanent Representative of Armenia to delude the international community by misinterpreting the agenda of the current session as adopted by the Sub-Commission. To our surprise, while sub-item (e) (i) of item 12 of the agenda is entitled "Adverse consequences of the transfer of arms and illicit trafficking in arms on the enjoyment of human rights", and while the Sub-Commission in its resolution 1997/37 entitled "Illicit transfer of arms", adopted at the forty-ninth session, had expressed its deep concern

"... at the recurrence of armed conflicts exacerbated by the illicit transfer of arms, their incidence on the enjoyment of human rights and on the application of international humanitarian law, as well as by their adverse consequences for international and regional peace and security", the Permanent Representative of Armenia notes in his letter "... that illegal arms supplies has no place on the Sub-Commission's agenda which only refers to 'illicit trafficking in arms' having harmful effects on the enjoyment of human rights".

The Permanent Representative of Armenia airily falsifies the contents of an official document of a United Nations body, replacing them by his own interpretation. Such an approach demonstrates that the Armenian Government proceeds from the position of the achievement of its well-known aggressive and expansionist purposes by any means, even if they deviate not only from reality but also from elementary logic.

I would be grateful if you could circulate the present letter as an official document of the fiftieth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities under the relevant item of the agenda.

(Signed) S. EIVAZOVA
Ambassador
Permanent Representative